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UNITED STATES DISTRICT COURT OF CALIFORNIA
 SOUTHERN DISTRICT

REALLY LIKEABLE PEOPLE, INC., a)	CASE NO. 07 CV 2405 L CAB
Delaware corporation, LOSERKIDS, INC., a)	
California Corporation, MACBETH, INC., a)	DECLARATION OF RICHARD BREEDEN IN
California corporation, MACBETH OPTICS,)	SUPPORT OF MOTION TO DISMISS
LP, a California limited partnership, and)	PURSUANT TO RULE 12(b)(2)
REALLY LIKEABLE PEOPLE II, INC.)	
(formerly ATTICUS CLOTHING, INC.), a)	Date: March 3, 2008
California corporation,)	Time: 10:30 a.m.
)	Courtroom: 14
Plaintiffs,)	Judge: Hon. M. James Lorenz
)	
vs.)	
)	
LOWLIFE CORPORATION, LTD, an English)	
limited company, EVERYTHING BUT THE)	
MUSIC, plc, an English corporation, DALE)	
MASTERS, an individual, and DOES 1 through)	
25, inclusive,)	
)	
Defendants.)	
)	
)	

I, Richard Breedon, declare:

1. I am the Chief Executive of EBTM plc ("EBTM"), a company incorporated under the laws of the United Kingdom. If called upon, I could testify competently to the matters stated herein.

1 2. EBTM is an online retail business that sells music inspired fashion in the United
2 Kingdom and Europe. EBTM began doing business in 2005.

3 3. On approximately December 11, 2007, copies of the summons and complaint were
4 delivered to the EBTM office in London, England.

5 4. On approximately December 14, 2007, copies of the summons and complaint were
6 delivered to my personal residence in London, England.

7 5. I am informed and believe that starting in approximately 2003 Lowlife entered into
8 business agreements and conducted business with California corporations named Atticus Clothing, Inc.
9 ("Atticus") and Macbeth, Inc. ("Macbeth").

10 6. I am informed and believe that in approximately June of 2005, Lowlife entered into a
11 joint venture agreement with Atticus, Macbeth, Loserkids.Com, Inc. ("Loserkids"), Jonathan W.
12 Humphrey ("Humphrey"), and Thomas Matthew DeLonge ("DeLonge") to operate an e-commerce site
13 called www.Loserkids.uk.com.

14 7. I am informed and believe that during 2007, Lowlife entered into several agreements
15 with the Plaintiffs. I am informed and believe that on March 28, 2007, a "Heads of Agreement" was
16 signed by Plaintiffs Really Likeable People, Inc., Loser Kids, Inc., and Macbeth, Inc., and Defendant
17 Lowlife. I am informed and believe that on May 29, 2007, Defendant Lowlife and Plaintiff Really
18 Likeable People, Inc. ("RLP") entered into an Asset Purchase and Sale Agreement ("Atticus Asset
19 Purchase Agreement") whereby RLP agreed to sell Atticus brand assets to Lowlife. I am also informed
20 and believe that on May 29, 2007, three "wind-down" agreements were entered into that provided for
21 1) the wind-down of the distribution relationship between RLP and Lowlife created by the Atticus
22 Manufacturing Agreement ("Atticus Wind-Down Agreement"); 2) the wind-down of the distribution
23 relationship created by the Macbeth Manufacturing Agreement ("Macbeth Wind-Down Agreement");
24 and 3) the wind-down of the relationship between RLP and Lowlife with regard to the operation of the
25 www.loserkids.uk.com website ("Loserkids.uk.com Wind-Down Agreement").

26 8. On or about June 1, 2007, EBTM purchased Lowlife Corporation Limited ("Lowlife"),
27 (incorrectly sued as LOWLIFE CORPORATION, LTD), a United Kingdom limited liability company.
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1 9. Although I understand that Lowlife has had business relationships with California
2 entities starting in 2003, Lowlife is a separate limited liability company and its conduct is separate
3 from the conduct of EBTM.

4 10. As of the date that the complaint was filed on November 13, 2007, EBTM did not
5 operate any retail stores in California, did not employ any California residents, had not entered into any
6 contracts with California residents, and had not performed any marketing or advertising in California.
7 Because EBTM is an online retailer, it is possible for a California resident to visit the EBTM website
8 and order EBTM products. Since EBTM started business in 2005, out of the approximately 200,000
9 total orders that EBTM has shipped, less than 200 orders (.1 percent of the total) have been shipped to
10 California.

11 11. I am informed and believe that EBTM lacks sufficient minimum contacts with
12 California for this court to assert personal jurisdiction over EBTM. I respectfully request that this
13 Court grant the motion to dismiss EBTM under Rule 12(b)(2).

14 I declare under penalty of perjury under the laws of the State of California that the foregoing is
15 true and correct. Executed this 22 day of January, 2008, in London, England.

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18 RICHARD BREEDEN
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